

Schmit would move to return 653 to Select File for a specific amendment, that amendment being to strike the enacting clause.

PRESIDENT: Senator Schmit.

SENATOR SCHMIT: Mr. President and members of the Legislature, I know that you have all read this bill in great detail. I know you understand it thoroughly and I am not implying that there are some of you that might not have read it, but I want to make a statement at this time because I believe that a lot of people have taken a lot of abuse over the years, and especially and specifically for the passage of the bill that created the NDIGC that was unjustified. I think probably right now one of the most maligned men unjustly in the state is our Director of Banking and I think that he is probably doing the best job we can expect from a man under these difficult conditions. But that doesn't preclude the public from taking potshots at him nor at us. I want to say at the outset that I intend to vote for the passage of LB 653. I was one of the people on the committee who insisted that the bill go to the floor. I think it is critical to us at this time that the bill becomes law, but I want to point out for those of you who might have overlooked some of the provisions of this bill that the passage of this bill is, in my opinion, more beneficial to the Commonwealth depositors than even the 8.5 million meager bucks you put in the till several days ago which may or may not pass this morning. This bill will allow, if the Department of Banking passes the regulation, to consider real estate as a part of the capital asset and that is critical to Commonwealth and it is too to its reorganization. Number two, it will also allow, and this causes me some concern, it will allow the country banks to take land which they have foreclosed upon and treat it as a capital asset. Now at this time I know of farmers who have been allowed to remain on the land, because if the bank were to foreclose on the property and write it off, they would be in more of a jeopardized position than to allow the farmer to continue to farm. So what I am suggesting is this, that I am going to vote for the bill but I am going to keep a very close watch upon the actions of the banks, and if I see a rush or a rash of foreclosures on farmland by bankers, because this allows them to take that land and convert it to capital, then I am willing to ask the Governor to return us in special session to repeal this act. I think it is